

ORIGINAL

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COSTELLO'S TAVERN

UNITED STATES DISTRICT COURT--
DISTRICT OF MASSACHUSETTS

CHAPPELL & CO, Inc., IRA GERSHWIN
MUSIC, GEORGE GERSHWIN MUSIC
and WARNER BROS., INC.

Plaintiffs,

v.

COSTELLO'S TAVERN, INC.,

Defendant.

Case No. ED CV 05-10143 (NG)

DEFENDANT'S CERTIFICATION OF
CONFERENCE

The undersigned, in accordance with Local Rule 16.1(D)(3), hereby certify that they have conferred about establishing a budget for the cost of conducting the full course, and various alternative courses, of the present litigation and to consider resolution of this litigation through the use of alternative dispute resolution programs.

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1 COSTELLO'S TAVERN, INC.

NELSON ♦ GRIFFIN

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3 By: 
4 MATTHEW T. GRIFFIN
5 Proprietor
6 COSTELLO'S TAVERN, INC.

By: 
THOMAS J. GRIFFIN
Attorneys for Defendant
COSTELLO'S TAVERN, INC.

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10 Dated: April 27, 2005

Dated: April 27, 2005

Nelson ♦ Griffin
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PROOF OF SERVICE
CHAPPELL v. COSTELLO'S TAVERN
Case No. ED CV 05-10143 (NG)

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES:

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) and am not a party to the within action; my business address is 555 West Fifth Street, Suite 320, Los Angeles, California 90013. On April 27, 2005, I served the following document(s) described as **DEFENDANT'S CERTIFICATION OF CONFERENCE** on all interested parties to this action, as follows:

☒ by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelopes addressed as follows:

Stephen S. Young, Esq.
HOLLAND & KNIGHT, LLP
10 St. James Avenue
Boston, MA 02116
Tel No. (617) 523-2700
Fax No. (617) 523-6850
Counsel for Plaintiffs

Timothy Flaherty, Esq.
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43 Bowdoin St.
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Co-Counsel for COSTELLO'S TAVERN,
INC.

☒ **BY MAIL:** By placing a true copy thereof in a sealed envelope addressed as above, and placing it for collection and mailing following ordinary business practices. I am readily familiar with Nelson & Griffin's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **BY OVERNIGHT COURIER:** I caused the above-referenced document(s) to be delivered to _____ for delivery to the above address(es).

☐ **BY FAX:** I caused the above-referenced document to be transmitted via facsimile from Fax No. _____ to Fax No. _____ directed to _____. The facsimile machine I used complies with Rule 2003(3) and no error was reported by the machine. Pursuant to Rule 2005(1), I caused the machine to print a record of the transmission, a copy of which is attached to this declaration.

☐ **BY PERSONAL SERVICE:** I caused such envelope to be delivered by hand to the addressee(s).

☐ [State] I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

☒ [Federal] I declare that I am employed in the office of a member, pro hac vice, of the bar of this court at whose direction the service was made.

Executed on April 27, 2005, at Los Angeles, California.

JOJO SARTHOU

Nelson & Griffin
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